

# EXHIBIT A-10

Ex. A to WSOU's August 5, 2021 Preliminary Claim Constructions (Dkt. 29-10)

**EXHIBIT 10**  
**Exhibit A to WSOU's**  
**Aug. 5, 2021 Disclosure of**  
**Preliminary Claim**  
**Constructions**

# EXHIBIT A

**PLAINTIFF WSOU'S PROPOSED PRELIMINARY CLAIM CONSTRUCTIONS**

<b>U.S. Patent No. 7,577,103</b>			
<b>No.</b>	<b>Terms</b>	<b>Claims</b>	<b>WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence<sup>1</sup></b>
	None	N/A	N/A

<b>U.S. Patent No. 7,885,398</b>			
<b>No.</b>	<b>Terms</b>	<b>Claims</b>	<b>WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence</b>
1.	route	1, 10 and 13	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• IBM Dictionary of Computing at WSOU-NEC-0001872</li> <li>• The IEEE Standard Dictionary of Electrical and Electronic Terms at WSOU-NEC-0001876</li> <li>• The Merriam-Webster Dictionary at WSOU-NEC-0001880</li> <li>• Dictionary of Computing (6<sup>th</sup> Edition) at WSOU-NEC-0001890</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p>

<sup>1</sup> WSOU reserves the right to rely upon any extrinsic evidence identified by NEC, including additional portions of documents cited by NEC for, among other things, completeness, explanation, and/or rebuttal. These disclosures provided herein are based on WSOU's investigation to date, and WSOU reserves the right to rely on additional extrinsic evidence as the case(s) proceed. WSOU further reserves the right to rely upon any deposition testimony given or any declarations served or filed with any claim construction briefs.

## U.S. Patent No. 7,885,398

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
2.	load balancing	1, 10 and 13	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• IBM Dictionary of Computing at WSOU-NEC-0001871</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001885</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
3.	service category criterion	1, 10 and 13	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p>

**U.S. Patent No. 7,885,398**

<b>No.</b>	<b>Terms</b>	<b>Claims</b>	<b>WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence</b>
			WSOU further reserves the right to rely on positions and evidence cited by NEC.

**U.S. Patent No. 8,041,017**

<b>No.</b>	<b>Terms</b>	<b>Claims</b>	<b>WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence</b>
4.	detecting means	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>Further, to the extent the Court treats the term as means-plus-function:</p> <p><u>Function:</u> detecting that the received first call is an emergency call</p> <p><u>Structure/material/acts:</u> For example, step 102 of Fig. 2, and the corresponding portions of the specification at 9:15-17, node 30 of Fig. 1 and the corresponding portions of the specification at 4:62-5:21 and 5:41-48, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• The IEEE Standard Dictionary of Electrical and Electronic Terms (6<sup>th</sup> Edition) at WSOU-NEC-0001919-20</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001930</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of</p>

U.S. Patent No. 8,041,017			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
5.	reserving means	8 and 9	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>Further, to the extent the Court treats the term as means-plus-function:</p> <p><u>Function:</u> reserving conference facilities in response to the detected emergency call</p> <p><u>Structure/material/acts:</u> For example, step 112 of Fig. 2, and the corresponding portions of the specification at 9:38-43, node 30 of Fig. 1 and the corresponding portions of the specification at 6:20-29, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• The IEEE Standard Dictionary of Electrical and Electronic Terms (6<sup>th</sup> Edition) at WSOU-NEC-0001921</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001931</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention.</p>

U.S. Patent No. 8,041,017			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
6.	connecting means	8 and 9	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>Further, to the extent the Court treats the term as means-plus-function:</p> <p><u>Function</u>: connecting the emergency call using the reserved conference facilities to a designated second party that handles emergency calls</p> <p><u>Structure/material/acts</u>: For example, step 114 of Fig. 2, and the corresponding portions of the specification at 9:43-46, node 30 of Fig. 1 and the corresponding portions of the specification at 6:20-29, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• IBM Dictionary of Computing at WSOU-NEC-0001911-12</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p>



U.S. Patent No. 8,041,017			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
7.	calling means	8 and 9	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>Further, to the extent the Court treats the term as means-plus-function:</p> <p><u>Function:</u>  automatically originating at least one second call associated with the reserved conference facilities from the node over the telecommunications network to at least one predetermined third party that is different than the calling party and the second party</p> <p><u>Structure/material/acts:</u>  For example, steps 116, 118, 120 and 122 of Fig. 2, and the corresponding portions of the specification at 9:47-66, node 30 of Fig. 1 and the corresponding portions of the specification at 6:20-7:16, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
8.	answer detecting means	10	This term is not indefinite.

U.S. Patent No. 8,041,017			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>No construction necessary – plain and ordinary meaning.</p> <p>Further, to the extent the Court treats the term as means-plus-function:</p> <p><u>Function</u>: determining whether or not the third party answers the second call.</p> <p><u>Structure/material/acts</u>: For example, step 120 of Fig. 2, and the corresponding portions of the specification at 9:60-61, node 30 of Fig. 1 and the corresponding portions of the specification at 7:8-:8:55, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• The IEEE Standard Dictionary of Electrical and Electronic Terms (6<sup>th</sup> Edition) at WSOU-NEC-0001919-20</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001930</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
9.	remote characteristic information	1, 8 and 22	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
10.	local characteristic information	1, 8 and 22	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
11.	at least one of supported communication transport	1, 8, 22, 23, 24,	This term is not indefinite.

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
	configuration information for the [at least one other] apparatus, power status information for the [at least one other] apparatus, processing load information for the [at least one other] apparatus, communication load information for the [at least one other] apparatus, proximate interference information for the [at least one other] apparatus and user preferences configured in the [at least one other] apparatus	25 and 26	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
12.	power status information	1, 8, 22, 23, 24, 25 and 26	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
13.	communication load information for the [at least one other] apparatus	1, 8, 22, 23, 24, 25 and 26	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
14.	proximate interference information for the [at least one other] apparatus	1, 8, 22, 23, 24, 25 and 26	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
15.	computer program code configured to initiate an inquiry from an apparatus to at least one other apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
16.	computer program code configured to receive remote characteristic information into the apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p>

U.S. Patent No. 8,103,213			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
17.	computer program code configured to determine local characteristic information in the apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
18.	computer program code configured to formulate a configuration in the apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
19.	computer program code configured to send the configuration from the apparatus to the at least one other apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p>



## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
20.	computer program code configured to implement the configuration in the apparatus	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
21.	computer program code configured to establish communication between the apparatus and at least one other apparatus in accordance with the configuration	8	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
22.	means for initiating an inquiry from the apparatus to at least one other apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> initiating an inquiry from an apparatus to at least one other apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus A (1300) and process 1 of Fig. 13, and the corresponding portions of the specification at 19:62-20:4, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
23.	means for receiving remote characteristic information into the apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> receiving remote characteristic information into the apparatus</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p><u>Structure/material/acts:</u> For example, apparatus A (1300) and process 2 of Fig. 13, and the corresponding portions of the specification at 20:4-24, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
24.	means for determining local characteristic information in the apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> determining local characteristic information in the apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus A (1300) and process 3 of Fig. 13, and the corresponding portions of the specification at 20:25-35, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
25.	means for formulating a configuration in the apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> formulating a configuration in the apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus A and process 4 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, and the corresponding portions of the specification at 17:34-44, 18:4-6, and 20:35-44, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
26.	means for sending the configuration from the apparatus to the at least one other apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> sending the configuration from the apparatus to the at least one other apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus A and process 5 of Fig. 13, and the corresponding portions of the specification at 20:45-48, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
27.	means for implementing the configuration in the apparatus	22	<p>This term is not indefinite.</p> <p><u>Function:</u> implementing the configuration in the apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus A and process 6 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, and the corresponding portions of the specification at 17:34-44, 18:4-6, and 20:49-53, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
28.	means for establishing communication between the apparatus and at least one other apparatus in accordance with the configuration	22	<p>This term is not indefinite.</p> <p><u>Function:</u> establishing communication between the apparatus and at least one other apparatus in accordance with the configuration</p> <p><u>Structure/material/acts:</u> For example, apparatus A and process 8 of Fig. 13, apparatus B of Fig. 13, and the corresponding portions of the specification at 20:53-56, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction</p>



## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
29.	computer program code configured to receive wireless communication in an apparatus	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
30.	computer program code configured to, if the wireless communication includes an inquiry requesting characteristic information, determine characteristic information	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
31.	computer program code configured to respond to the inquiry, the response comprising the characteristic information	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
32.	computer program code configured to receive further wireless communication in the apparatus, the further wireless communication including a configuration	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> </ul>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<ul style="list-style-type: none"> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
33.	computer program code configured to implement the configuration in the apparatus	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
34.	computer program code configured to establish communication in accordance with the configuration	24	<p>This term is not indefinite.</p> <p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
35.	means for receiving wireless communication in the apparatus	26	<p>This term is not indefinite.</p> <p><u>Function:</u> receiving wireless communication in the apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus B (1302) of Fig. 13 and process 1 of Fig. 13, and the corresponding portions of the specification at 19:67-20:1 and 20:4-8, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
36.	means for, if the wireless communication includes an inquiry requesting characteristic information, determining characteristic information	26	<p>This term is not indefinite.</p> <p><u>Function:</u> if the wireless communication includes an inquiry requesting characteristic information, determining characteristic information</p> <p><u>Structure/material/acts:</u></p>

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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>For example, apparatus B (1302) and processes 1 and 2 of Fig. 13, and the corresponding portions of the specification at 19:62-20:4 and 20:8-24, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
37.	means for responding to the inquiry, the response comprising the characteristic information	26	<p>This term is not indefinite.</p> <p><u>Function:</u> responding to the inquiry, the response comprising the characteristic information</p> <p><u>Structure/material/acts:</u> For example, apparatus B (1302) and process 2 of Fig. 13, and the corresponding portions of the specification at 20:4-8, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
38.	means for receiving further wireless communication in the apparatus, the further wireless communication including a configuration	26	<p>This term is not indefinite.</p> <p><u>Function:</u> receiving further wireless communication in the apparatus, the further wireless communication including a configuration</p> <p><u>Structure/material/acts:</u> For example, apparatus B (1302) and process 5 of Fig. 13, and the corresponding portions of the specification at 20:45-48, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction</p>

## U.S. Patent No. 8,103,213

No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			<p>positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>
39.	means for implementing the configuration in the apparatus	26	<p>This term is not indefinite.</p> <p><u>Function:</u> implementing the configuration in the apparatus</p> <p><u>Structure/material/acts:</u> For example, apparatus B (1302) and process 7 of Fig. 13, and the corresponding portions of the specification at 20:49-53, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p>



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No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
40.	means for establishing communication in accordance with the configuration	26	<p>This term is not indefinite.</p> <p><u>Function:</u> establishing communication in accordance with the configuration</p> <p><u>Structure/material/acts:</u> For example, apparatus B (1302) and process 8 of Fig. 13, and the corresponding portions of the specification at 20:53-56, and equivalents thereof.</p> <p>WSOU identifies the following exemplary extrinsic evidence in support of its construction:</p> <ul style="list-style-type: none"> <li>• Dictionary of Computer and Internet Words at WSOU-NEC-0001867</li> <li>• IBM Dictionary of Computing at WSOU-NEC-0001870</li> <li>• Microsoft Computer Dictionary (5<sup>th</sup> Edition) at WSOU-NEC-0001884</li> <li>• Dictionary of Computing (5<sup>th</sup> Edition) at WSOU-NEC-0001889</li> <li>• Webster's Pocket Computer &amp; Internet Dictionary at WSOU-NEC-0001894</li> <li>• Webster's New World Computer Dictionary (10<sup>th</sup> Edition) at WSOU-NEC-0001899</li> </ul> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>

U.S. Patent No. 9,065,918			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
41.	during the voice call	18	<p>No construction necessary – plain and ordinary meaning.</p> <p>WSOU identifies the following exemplary extrinsic evidence in support of its construction:</p> <p>WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.</p> <p>WSOU further reserves the right to rely on positions and evidence cited by NEC.</p>